



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln No.: 10/774,692

Confirmation No. 7393

Filed: February 10, 2004

Applicant(s): HOWARD et al.

Title: FREEZER-STABLE TOASTED  
BREAD SLICES

Art Unit: 1761

Examiner: Not yet assigned

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

8/3/04

Date

Joseph E. Shipley

Registration No. 31,137

Attorney for Applicant(s)

Attorney Docket No.: 77070

Customer No.: 22242

Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Sir:

In response to the Notice to File Missing Parts dated May 7, 2004, enclosed are:

- ☒ A copy of the Notice to File Missing Parts.
- ☐ An executed Declaration for Patent Application, including Power of Attorney.
- ☐ \_\_\_\_\_ sheet(s) of drawings are enclosed. ☐ Formal ☐ Informal
- ☒ An Assignment of the invention to Kraft Foods Holdings, Inc., and Recordation Form Cover Sheet - Patents Only - Form PTO-1595.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the fee for recording the assignment.
- ☒ The Recordation Form Cover Sheet includes authorization to charge \$40.00 to our Deposit Account for recording the assignment.
- ☒ Fee Calculation:

Fee Calculation For Claims As Filed

☐ Provisional Application Basic Fee

\$ 160.00

Application No. 10/774,692  
Response dated August 3, 2004  
Notice to File Missing Parts dated May 7, 2004

Surcharge under 37 C.F.R. § 1.16(1)	\$ 50.00	
<input checked="" type="checkbox"/> Non-Provisional Utility Application Basic Fee	\$ 770.00	\$ 770.00
Independent Claims <u>4</u> - <u>3</u> = <u>1</u> x	\$ 86.00	= \$ 86.00
Total Claims <u>33</u> - <u>20</u> = <u>13</u> x	\$ 18.00	= \$ 234.00
Fee for Multiply Dependent Claims	\$ 290.00	
Surcharge under 37 C.F.R. § 1.16(e)	\$ 130.00	\$ 130.00
 <input type="checkbox"/> Design Application Basic Fee	 \$ 340.00	
Surcharge under 37 C.F.R. § 1.16(e)	\$ 130.00	
 Total Filing and/or Surcharge Fee		 \$ 1,220.00
 <input type="checkbox"/> Applicant(s) assert entitlement to Small Entity Status (37 C.F.R. § 1.27), reducing the Filing/Surcharge Fee by half to:		 \$ 0.00

☐ A check in the amount of \$\_\_\_\_\_ to cover the Filing and/or Surcharge Fee.

☒ Charge \$ 1,220.00 to Deposit Account No. 06-1135.

☒ The Director is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§ 1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Director is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in triplicate.

August 3, 2004

Date

  
\_\_\_\_\_  
Joseph E. Shipley  
Registration No. 31,137

FITCH, EVEN, TABIN & FLANNERY  
120 South LaSalle Street, Suite 1600  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007

IFW



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/774,692	02/10/2004	Terry Howard	1410/77070

Fitch, Even, Tabin & Flannery  
 Suite 1600  
 120 South LaSalle Street  
 Chicago, IL 60603-3406



CONFIRMATION NO. 7393

## FORMALITIES LETTER



\*OC000000012562302\*

Date Mailed: 05/07/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/06/2004 SDIRETA1 00000057 061135 10774692

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 770.00 DA  
 02 FC:1001 130.00 DA  
 03 FC:1202 234.00 DA  
 04 FC:1201 86.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$320 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1220 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$320**

- **\$86** for **1** independent claims over 3.
- **\$234** for **13** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice MUST be returned with the reply.*

ROUANN  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY